

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

In the Matter of:

Lower Duwamish Waterway Superfund
Site,
Seattle, Washington

FORD MOTOR COMPANY'S
RESPONSE TO REQUEST FOR
INFORMATION

Ford Motor Company ("Ford") submits its objections and responses to the United States Environmental Protection Agency ("EPA") Request for Information ("Request") regarding the Lower Duwamish Waterway Superfund Site, Seattle, Washington ("Superfund Site" or "Site") as follows:

GENERAL OBJECTIONS

1. Ford objects to the term "documents" as defined in the Request as it is overly broad and seeks to impose obligations on Ford that are unduly burdensome and not required by CERCLA or SARA.
2. Ford objects to the Request to the extent it seeks information other than with respect to the Superfund Site at issue.
3. Ford objects to the Request to the extent it seeks information protected by the attorney-client or any other privilege.
4. Ford objects to the Request to the extent it seeks information protected from disclosure by the work product doctrine.
5. Ford objects to the Request to the extent it seeks to impose obligations on Ford that exceed those prescribed by CERCLA or SARA.

6. Ford objects to the Request to the extent it seeks documents not in Ford's possession, custody, or control due to the passage of time, the breadth of the request, and document retention policies or otherwise. Ford's responses herein are limited accordingly.

Ford reserves the right to supplement this Response should additional information be discovered.

SPECIFIC OBJECTIONS AND RESPONSES

The following specific responses and objections are expressly subject to, do not constitute a waiver of, and implicitly incorporate the above General Objections.

1. Respondent Information

- a. Provide full legal name and mailing address of the Respondent?
- b. For each person answering these questions on behalf of Respondent, provide: full name, title, business address, and business telephone number and FAX machine number?
- c. If the respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number and fax number?
- d. State the dates during which Respondent held any property interests at or within one-half mile of the Site.
- e. State the dates during which Respondent conducted any business activity at or within one-half mile of the Site.
- f. Describe the nature of Respondent's business activities at the Site or within one-half mile of the Site.
- g. In relation to your answer to the previous section, identify all materials used or created by your activities at the Site, including raw materials, commercial products, building debris, and other wastes.
- h. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:
 - i. the U.S. Bankruptcy Court in which the petition was filed;
 - ii. the docket numbers of such petition;
 - iii. the date the bankruptcy petition was filed;

- iv. whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and
- v. a brief description of the current status of the petition.

Response

- a. Ford Motor Company
One American Road
Dearborn, MI 48126
- b. David J. Witten, Esq.
Attorney
Ford Motor Company
Office of the General Counsel
One American Road, Ste 407-A2
Dearborn MI 48126
Phone: (313) 845-8476
Fax: (313) 390-3308
- c. See Response 1b above.
- d. Ford acquired the property located at 4645 East Marginal Way, Seattle, WA 98134 (the "Ford Plant") in early 1930 and sold it to the United States Government (Army Quartermaster Department) on June 9, 1941.
- e. Ford constructed the Ford Plant in 1931. The first cars were assembled at the Ford Plant in May 1932. Ford discontinued assembly operations at the Ford Plant in November 1932. A Ford Sales and Service Branch remained in the building until it was sold in June 1941 to the United States Government. The United States Government allowed Ford to continue to occupy office space at the Ford Plant for nine additional months or such shorter period as might be necessary to find suitable office space elsewhere. Ford has been unable to determine its ultimate departure date from the Ford Plant.

f. Ford incorporates by reference Response 1e as if fully set forth herein. In further response, from May 1932 until November 1932, Ford assembled V-8 vehicles at the Ford Plant. The Sales and Service Branch operated as an office.

g. Ford has located no information or documentation responsive to this Request, other than the use of construction materials identified in the documents enclosed herewith.

h. No response to this Request is required.

2. Site Activities and Interests

a. Provide all documents in your possession regarding the ownership or environmental conditions of the Site, including, but not limited to copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs. Environmental conditions of the Site includes information related to soil, sediment, water (ground and surface), and air quality, such as, but not limited to:

- i. Any spill, leak release or discharge of a hazardous substance, waste or material at or near the Site;
- ii. Occurrences of violations, citations, deficiencies, and/or accidents concerning the Site;
- iii. Remediation or removal of contaminated soils, sediments, or other media at the Site; and
- iv. Investigations, inspections, sampling and reports generated by Respondent and/or others regarding the Site and surrounding area.

b. Provide information on the condition of the Site when purchased or at the beginning of the relevant time period; describe the source, volume and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways. Additionally, describe any subsequent improvements, alterations, demolitions or additions to the physical structures or the Site itself.

c. Provide information on past dredging or future planned dredging at this site.

d. Provide a brief summary of the activities conducted at the Site while under the Respondent's ownership or operation. Include process diagrams or flow charts of the industrial activities conducted at the site.

e. Provide all documents pertaining to sale, transfer, delivery, disposal, of any hazardous substances, scrap materials, and/or recyclable materials to this property.

f. Provide all information on electrical equipment used at this Site, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

g. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the Site for facility operations.

h. Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer.

i. With respect to past site activities, please provide copies of any stormwater or drainage studies, including data from sampling, conducted at the Site. Also provide copies of any Stormwater Pollution Prevention or Maintenance Plans or Spill Plans that may have been developed for different operations during the Respondent's occupation of the property.

Response

a. Ford objects to this Request as it is overly broad and unduly burdensome. Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, due to its cessation of assembly operations in 1932, and all other Ford-related operations in or about 1941, and the subsequent passage of time, much of the information related to the Ford Plant is no longer available to the extent such information ever existed. In further response, Ford submits the enclosed photographs and documents in Ford's possession that are responsive to this Request.

b. Ford objects to this Request as it is overly broad and unduly burdensome. Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, due to its cessation of assembly operations in 1932, and all other Ford-related operations in or about 1941, and the subsequent passage of time, much of the information related to the Ford Plant is no longer available to the extent such information ever existed. Ford further responds that it constructed the Ford Plant in 1931 and, based on document, enclosed herewith, "[f]our thousand composite piles of concrete and wood, ranging in length from thirty-five to eighty feet, form[ed] the plant and dock foundations."

c. Ford objects to this Request as it is overly broad, unduly burdensome, and vague.

Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford is not in possession of information responsive to this Request other than one document, enclosed herewith, indicating that as part of Ford's construction of the Ford Plant, "[t]o make possible the berthing of the largest Ford cargo ships, dredging was necessary. More than 101,000 cubic yards of earth were moved to permit access to a private dock 730 feet long, forming one side of the [Ford Plant]."

d. Ford objects to this Request as it is overly broad, unduly burdensome, and vague.

Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford incorporates by reference Responses 1e and 1f as if fully set forth herein. Ford has located no process diagrams or flow charts of the industrial activities conducted at the Ford Plant.

e. Ford objects to this Request as it is overly broad, unduly burdensome, and vague.

Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

f. Ford objects to this Request as it is overly broad, unduly burdensome, and vague.

Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

g. Ford objects to this Request as it is overly broad, unduly burdensome, and vague.

Subject to and without waiving the foregoing general or specific objections, Ford responds that

with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

h. Ford objects to this Request as it is overly broad, unduly burdensome, and vague. Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

i. Ford objects to this Request as it is overly broad, unduly burdensome, and vague. Subject to and without waiving the foregoing general or specific objections, Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

3. Information About Others

a. Describe any business relationship you may have had regarding this property or operations thereon with the following entities:

- i. U.S. Army Corps of Engineers and
- ii. General Services Administration.

b. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned Site.

c. If not already provided, identify and provide last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the Site.

Response

a. With respect to the Ford Plant, Ford is not aware of any business relationship with the Army Corps of Engineers or the General Services Administration other than to the extent such

entities were involved in Ford's sale of the Ford Plant to the United States Government (Army Quartermaster Department) on June 9, 1941.

b. Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

c. Ford responds that with respect to the Ford Plant, Ford has located no information or documentation responsive to this Request.

4. Financial Information

a. Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2003, 2004, 2005, 2006 and 2007. Provide the federal Tax Identification Number and, if documentation is not available, explain why in detail.

b. Provide the Respondent's financial interest in, control of, or that the Respondent is a beneficiary of any assets (in the U.S. or in another country) that have not been identified in your federal tax returns or other financial information to be presented to EPA. If there are such assets, please identify each asset by type of asset, estimated value and location.

c. If respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:

- i. A general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
- ii. The dates such relationship existed;
- iii. The percentage of ownership of Respondent that is held by such other entity(ies)
- iv. For each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
- v. Provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of Respondent at the Site; and
- vi. Provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets) and net worth.

Response

a. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant. Subject to and without waiving the foregoing general or specific objections, Ford incorporates by reference its Annual Reports, which can be viewed at <http://www.ford.com/about-ford/investor-relations/company-reports/annual-reports>, as if enclosed herewith. Ford's federal Tax Identification Number is [REDACTED].

b. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant. Subject to and without waiving the foregoing general or specific objections, Ford incorporates by reference Response 4b as if fully set forth herein.

c. No response to this Request is required.

5. Insurance Coverage

a. Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the site or facility and/or Respondent's business operations (including, but not limited to, Comprehensive General Liability, Environmental Impairment Liability, Pollution Legal Liability Cleanup Cost Cap or Stop Loss Policies). Include, without limitation, all primary, excess, and umbrella policies which could be applicable to costs of environmental investigation and/or cleanup, and include the years such policies were in effect.

b. If there are any such policies from question "5a" above which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible:

- i. The name and address of each insurer and of the insured;
- ii. The type of policy and policy numbers;
- iii. The per occurrence policy limits of each policy; and
- iv. The effective dates for each policy.

c. Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified at the beginning of this request, and identify the time period during which such broker or agent acted in this regard.

d. Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the site. Include any responses from the insurer with respect to any claims.

e. Identify any previous settlements with any insurer in connection with the site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.

f. Identify any and all insurance, accounts paid or accounting files that identify Respondent's insurance policies.

- g. Identify Respondent's policy with respect to document retention.

Response

a. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant and to the extent it seeks documents or information unrelated to the Site. Subject to and without waiving the foregoing general or specific objections, Ford has located no information or documentation responsive to this Request with respect to the Site.

b. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant and to the extent it seeks documents or information unrelated to the Site. Subject to and without waiving the foregoing general or specific objections, Ford has located no information or documentation responsive to this Request with respect to the Site.

c. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant and to the extent it seeks documents or information unrelated to the Site. Subject to and without waiving the foregoing general or specific objections, due largely to the passage of time, Ford has located no information or documentation responsive to this Request with respect to the Site.

d. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant. Subject to and without waiving the foregoing general or specific objections, Ford has located no information or documentation responsive to this Request with respect to the Site.

e. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant and to the extent it seeks documents or information unrelated to the Site. Subject to and without waiving the foregoing general or specific objections, Ford has located no information or documentation responsive to this Request with respect to the Site.

f. Ford objects to this Request as it is overly broad, unduly burdensome, and irrelevant and to the extent it seeks documents or information unrelated to the Site.

g. Ford objects to this Request as it is overly broad, unduly burdensome, irrelevant, and to the extent it seeks documents or information unrelated to the Site and to the extent it seeks information subject to the attorney-client privilege or work product doctrine.

6. Compliance with This Request

a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- i. the name and current job title of all individuals consulted;
- ii. the location where all documents are currently kept.

Response

a. In responding to this Request, Ford reviewed documents in its possession located at Ford's Environmental Quality Office, Ford Motor Land Development Corp., and the Ford Archives.

- i. Brian Bussa, Environmental Quality Office, Senior Environmental Engineer

Lisa Lourie, Ford Motor Land Development Corp., Record Retention Specialist

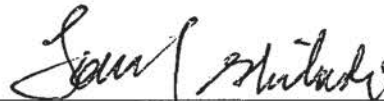
Jaime Myler, Ford Archives, Senior Research Archivist

- ii. The documents that were located pertaining to the Ford Plant were found in the Ford Archives and at the Environmental Quality Office.

VERIFICATION

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

 Louis J. Ghilardi , being duly sworn, deposes and states that he is
an authorized agent of Ford Motor Company; that he verifies the foregoing Ford Motor
Company's Response to Request for Information; that the matters stated therein are not within
the personal knowledge of the undersigned; that the facts stated therein have been assembled by
authorized employees and counsel for Ford Motor Company; and that the undersigned is
informed that the facts stated therein are true.



Louis J. Ghilardi
Assistant Secretary

Subscribed and sworn to before me this 22nd day of July, 2009.


Notary Public

